APPENDIX 1

Excerpt From Testimony of Duane L. Borden in the County Court, January 27, 1966, R. p. 242.

"By Mr. Cole:

Q. Now, Officer, after you knocked on the door, you said you waited a few seconds, then of course you forcibly entered the place.

A. That's correct.

Q. Now, did you make any statement or explanations at the time just immediately after you knocked on the door?

A. At the *same* time.

Q. Now, what did you state?

A. Well, I hollered, "Police", and "warrant", same time I knocked.

Q. O. K. Now, Officer, did you hear anything from the time that you knocked on the door and to the time that you had to knock the door in?

A. Yes, sir.

Q. And what did you hear?

A. As I stated a few seconds ago, it sounded like the—

Mr. Norbont: I don't see the purpose of what he heard here. What does this have to do with a legal search and seizure or entry? This is going into the facts of the case.

The Court: I suppose it might bear upon this question of—

Mr. Cole: The questions he brought out, Your Honor, about the—

Mr. Norbont: Your Honor, he—

The Court: I'll overrule the objection.

By Mr. Cole:

Q. Yes, what did you hear, Officer?

A. All you hear was a lot of noise, sounded like running feet and scurrying, inside."

APPENDIX 2

May 25, 1967

IN THE SUPREME COURT OF THE STATE OF COLORADO

ORIGINAL PROCEEDINGS

22916

JOSEPH SALARDINO, PETE M. MAZONE, MICHAEL E. PAULDINO, ALBERT F. GUARASCI, CLARENCE M. SMALDONE, PAUL C. VILLANO, JOHN V. RUSSAMANO AND ROBERT QUINTANA, *Petitioners,*

v.

THE CITY AND COUNTY OF DENVER, a Municipal Corporation, *Respondent.*

The court having considered the Petition for Writ of Certiorari filed in the above cause, and being sufficiently advised in the premises, it is this day ordered that said Petition be, and the same hereby is, denied.

BY THE COURT, EN BANC, May 25, 1967.